



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Toshimitsu ISHIKAWA et al.

Serial No. 09/393,168

Filed September 10, 1999

SOFT CAPSULE

: Docket No.

00724/P10-258981/AM/SAN/US

: Group Art Unit 1617

: Examiner H. Nguyen

#4  
5/19/01  
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RESPONSE

Assistant Commissioner for Patents,  
Washington, D.C.

Sir:

Responsive to the Office Action of December 8, 2000, constituting a requirement for election of species, the time for responding thereto being extended for four months in accordance with a Petition for extension submitted herewith, Applicants hereby make the following provisional elections:

As between species (A) and species (B), Applicants provisionally elect species (B).

As between species (C) and species (D), Applicants provisionally elect species (C).

As among species (E), species (F) and species (G), Applicants provisionally elect species (E).

All of claims 1-20 read on the elected species.

These elections are made while reserving Applicants' rights under 35 U.S.C. § 121 to file a divisional application for the non-elected subject matter.

water soluble  
dietary fiber  
unspec.  
stabil

partial overlap

1-4

1-4, 9-11, 13-15, 17, 18

1-8

Action on the merits is requested.

Respectfully submitted,

Toshimitsu ISHIKAWA et al.

By: Matthew Jacob

Matthew Jacob

Registration No. 25,154 *for*

Michael R. Davis

Registration No. 25,134

Attorney for Applicants

MRD/aeh

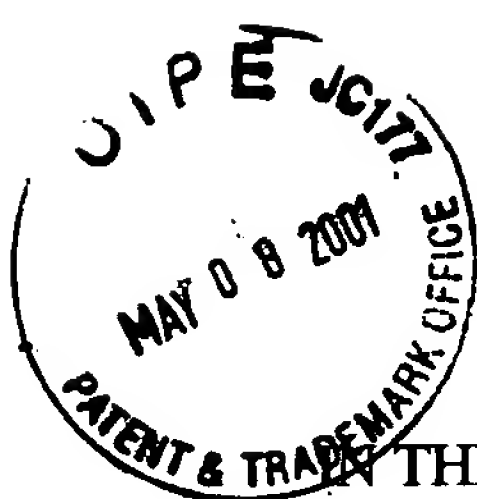
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May 8, 2001

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Toshimitsu ISHIKAWA et al.

Serial No. 09/393,168

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PATENT OFFICE FEE TRANSMITTAL FORM

Assistant Commissioner for Patents,  
Washington, DC 20231

Sir:

Attached hereto is a check in the amount of \$695.00 to cover Patent Office fees relating to filing the following attached papers:

Petition for Extension of Time ..... \$695.00

A duplicate copy of this paper is being submitted for use in the Accounting Division, Office of Finance.

*The Commissioner is authorized to charge any deficiency or to credit any overpayment associated with this communication to Deposit Account No. 23-0975, with the EXCEPTION of deficiencies in fees for multiple dependent claims in new applications.*

Respectfully submitted,

Toshimitsu ISHIKAWA et al.

THE COMMISSIONER IS AUTHORIZED  
TO CHARGE ANY DEFICIENCY IN THE  
FEES FOR THIS PAPER TO DEPOSIT  
ACCOUNT NO. 23-0975

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May 8, 2001

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